**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR**

**FRIDAY, THE 24TH AUGUST 2007 / 2ND BHADRA 1929**

**OP.No. 6098 of 1998(A)**
**----------**

**PETITIONER:**
**----------**

**K.T. GEORGE, RETIRED ASSISTANT EDUCATIONAL OFFICER,**
**16/482, POLICE QUARTERS ROAD, KUNNAMKULAM,**
**PIN - 680 503.**

**BY ADV. SRI.S.P.ARAVINDAKSHAN PILLAY,**
**SRI.V.VARGHESE.**

**RESPONDENTS:**
**----------**

1. **STATE OF KERALA, REPRESENTED BY ITS CHIEF SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.**

2. **ACCOUNTANT GENERAL (A & E), KERALA, THIRUVANANTHAPURAM.**

3. **DEPUTY DIRECTOR (EDUCATION), THRISSUR.**

4. **ASSISTANT EDUCATIONAL OFFICER, KUNNAMKULAM.**

5. **T.M. ALICE, WIFE OF T. GEORGE JOSEPH, RETIRED HEADMISTRESS, J.G. UPPER PRIMARY SCHOOL, CHOONDAL, THEKKEKARA HOUSE, KANIPAYYOOR.P.O., THRISSUR DISTRICT.**

6. **T. GEORGE JOSEPH, THEKKEKARA HOUSE, KANIPAYYOOR.P.O., THRISSUR DISTRICT.**

**O.P. NO. 6098/1998:**

**7. SUNU GEORGE, THEKKEKARA HOUSE,
KANIPAYYOOR.P.O., THRISSUR DISTRICT.**

**BY ADV. SMT.T.D.RAJALAKSHMI FOR R5 TO R7,
GOVERNMENT PLEADER SRI. V.T.K. MOHANAN FOR R1 TO R4,
ADV.SRI.E.R.VENKATESWARAN.**

**THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 24/08/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**ORDER ON C.M.P. NOS. 1084/1998 24566/1998 IN O.P. NO. 6098/1998-A**

**DISMISSED**

**24/08/2007.** **SD/- T.R.RAMACHANDRAN NAIR, JUDGE.**

**APPENDIX**

**PETITIONER'S EXHIBITS:**

**EXT.P.1: COPY OF THE JUDGMENT IN O.P. 13632/95-W OF THIS HONOURABLE COURT.**

**EXT.P.2: COPY OF THE INDEMNITY BOND EXECUTED ON STAMP PAPER.**

**EXT.P.3: COPY OF THE NOTICE NO. C/3731/97 DTD. 28/11/1997 OF THE R.4.**

**EXT.P.4: COPY OF THE REPLY DTD. 15/12/1997 SUBMITTED BY THE PETITIONER.**

**EXT.P.5: COPY OF THE LETTER NO. F/2529/97 DTD. 12/03/1998 OF THE R.4. TO THE R.3.**

**RESPONDENT'S EXHIBITS:**

**EXT.R6.A: COPY OF THE LETTER SENT BY THE R.6 TO THE R.4. DT. 26/05/1995.**

**EXT.R6.B: COPY OF THE LETTER SENT BY THE R.6 TO THE HEAD-MISTRESS JGUPS, CHOONDAL DT. 31/05/1995.**

**EXT.R6.C: COPY OF THE LETTER SENT BY THE HEADMISTRESS JGUPS CHOONDAL TO THE PETITIONER DT. 01/06/1995.**

**EXT.R6.D: COPY OF THE RCEIPTS ISSUED BY THE POSTAL DEPARTMENT IN RESPECT OF THE DOCUMENTS SENT BY REGISTERED POST TO THE R.4. DT. 01/06/1995.**

**//TRUE COPY//**

**prv.**

**T.R.RAMACHANDRAN NAIR, J.**

**= = = = = = = = = = = = = = = = =**

**O.P.No. 6098 of 1998-A.**

**= = = = = = = = = = = = = = = = =**

**Dated this the 24th day of August, 2007.**

**J U D G M E N T**

**This Original Petition is filed mainly for quashing Ext.P5 and for appropriate direction to release the amounts due towards the DCRG sanctioned to the petitioner. This Court had passed interim orders from time to time and ultimately by order dated 17.11.1998 the respondents 3 and 4 were directed to release the amount of DCRG due to the petitioner within a period of one month from the date of the order on the petitioner executing a bond to the satisfaction of respondents 3 and 4, undertaking to repay the amount if ultimately the amount could not be recovered from respondents 5 to 7.**

**2. Pursuant to the same the amounts have been released to the petitioner. It is reported by the learned counsel for the petitioner that the petitioner died on 5.7.2003. Therefore, the writ petition has abated and accordingly the same is dismissed. No costs.**

**T.R.RAMACHANDRAN NAIR, JUDGE.**

***Kvs/-***